

BOARD OF CODE STANDARDS AND APPEALS MINUTES

April 6, 2009

Members: Francisco Banuelos, Randy Coonrod, Randy Harder, Richard Hartwell, Bernie Hentzen, Ed Murabito, Warren Willenberg, John Youle

Present: Coonrod, Banuelos, Harder, Hartwell, Hentzen, Murabito, Willenberg, Youle

Staff Members Present: Deb Legge, Penny Bohannon, Elaine Hammons (Central Inspection); Sharon Dickgrafe, Jeff VanZandt (Law Department)

The regular meeting of the Board of Code Standards and Appeals was called to order by Chairman Murabito on Monday, April 6, 2009, at 1:30 p.m. in the 1st floor Board Room, City Hall, 455 N. Main, Wichita, Kansas.

1. Approval of the March 2, 2009, minutes.

Board Member Coonrod made a motion to approve the March 2, 2009, minutes as submitted. Board Member Youle seconded the motion. The motion passed.

2. Approval of the April 2009 license examination applications.

There were no license examination applications for the month of April.

3. Condemnation Hearings

Review Cases:

1. 1035 N. Indiana

Michael Rolle, owner of the property, was present.

A two-story frame dwelling about 28 x 54 feet in size, this structure has been vacant for at least two years. This structure has shifting and cracking concrete block basement walls; rotted and missing wood lap siding; deteriorating composition roof, with missing shingles; rotted and missing wood trim and framing members; and the front and rear porches are dilapidated, with shifting and cracking concrete.

This case was first before the Board at the February 2, 2009, monthly meeting. Mr. Rolle was present. At that hearing, the Board approved a motion to allow sixty days for the exterior to be painted and to allow Mr. Rolle to determine what his plan of action would be for this property. No repairs have been made to the property, although it is secure. The 2007 taxes are delinquent in the amount of \$91.80, and the 2008 taxes are due in the amount of \$69.65. There is a 2009 special assessment for weed cutting and lot clean-up in the amount of \$2,327.72, including interest. The premise condition is good.

Chairman Murabito asked Mr. Rolle to address the Board and relay his plans for the property.

Mr. Rolle said that in trying to obtain information about various options for use of the property, he had spoken to Kurt Schroeder of Central Inspection, and Michael Hollimon of Neighborhood Improvement Services, in addition to other individuals. The current zoning of the property, single family, would have to be changed to multi-family zoning in order to follow through with his original plans for the property. The process for having the parcel rezoned would probably be lengthy and costly; and the chance of having the zoning changed is probably unlikely.

Considering his options, Mr. Rolle felt it might be in his best interests to either sell the property or give it away. One party interested in purchasing the property is Mennonite Housing. At present, Mennonite Housing does not have the funds available to purchase the lot. When funding is available, Mr. Rolle explained, his contact at Mennonite Housing has indicated that they are definitely planning to proceed with the purchase, approximately in June or July of this year.

Mr. Rolle said he does not wish to invest a great deal of money in the structure because he is unable to keep it and use it for his original purpose. He is scheduled to sign a contract with Mennonite Housing allowing the organization to have the first opportunity to purchase the property as soon as funds are available. He said that his contact at Mennonite Housing is aware of all assessments on the property, as well as the delinquent taxes. Mr. Rolle said that rather than make extensive repairs to the structure, he would wait until Mennonite Housing could buy the property.

Board Member Harder made a motion to allow until the end of July for Mr. Rolle to sell the property or the property would be referred to the City Council with a recommendation of condemnation, with ten days to begin wrecking the structure and ten days to complete the removal. Board Member Coonrod seconded the motion. The motion carried.

Ms. Legge explained the condemnation process to Mr. Rolle. Mr. Rolle agreed that he would ask a representative from Mennonite Housing to contact OCI staff and confirm their intent to purchase the property.

Ms. Sharon Dickgrafe introduced Mr. Jeff VanZandt from the City Law Department. Ms. Dickgrafe explained that Mr. VanZandt would be taking over her position as legal adviser to the Board of Code Standard and Appeals.

With no other business to conduct, Board Member Hartwell made a motion to adjourn the meeting. Board Member Willenberg seconded the motion. The motion carried.

The meeting adjourned at 1:41 p.m.